

PB# 99-35

**Benedict Pond (Sub.)
(WITHDRAWN)**

85-1-13

Dean Hill Rd. - 2 Lots
(Tavulli)

Withdrawn 3/7/01

MERCURIO - NORTON - TAROLLI

Land Surveying - Engineering, P.C.

45 Main Street

P. O. Box 166 Pine Bush, New York 12566

845-744-3620 FAX: 845-744-3805

Alphonse Mercurio, L.S.

William G. Norton, L.S. (NY & PA)

E-Mail: mntpc@compuserve.com

John Tarolli, P.E., L.S.

Kenneth W. Vriesema, L.S.

February 20, 2001

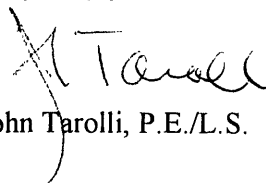
Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Re: Job No. 1314
Omat Inc.
2-Lot Subdivision
Dean Hill Road

Dear Board Members:

Mr. Petrone of Omat Inc. is requesting that his application dated 11/16/99 for the captioned 2-lot subdivision be withdrawn.

Very truly yours,



John Tarolli, P.E./L.S.

JT/cg

cc: M. Petrone

P.B. #99-35

Land Surveying - Sewer System Design - Subdivisions

RECEIVED

FEB 21 2001

-----X
In the Matter of the Application of

OMAT, INC.

MEMORANDUM OF
DECISION DENYING
AREA VARIANCE

#00-05.
-----X

WHEREAS, OMAT, INC., a corporation with an office at 501 Bramertown Road, Tuxedo Park, N. Y. 10987, has made application before the Zoning Board of Appeals for a 40.97 ft. lot width variance for Lot #13 in the Benedict Pond Subdivision located on the southwest side of Dean Hill Road in an R-3 zone; and

WHEREAS, a public hearing was held on the 28th day of February, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant was represented by John Tarolli, L. S.; and

WHEREAS, there were five spectators appearing at the public hearing; and

WHEREAS, two spoke in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) This a residential lot contained in a previously-granted subdivision of residential lots.

(b) The Applicant seeks to subdivide this lot which would produce one lot which conforms to the zoning requirement and one which does not conform without a variance.

(c) During the time the subdivision was before the Planning Board approximately in 1996, the Zoning Code of the Town of New Windsor was changed to require that lot width be measured at the minimum set back line, not at the place where the house was going to be built.

On account of this change it was not possible, absent a variance, to divide the remaining parcel which is the subject of this Application.

(d) While the Applicant does not now own any other land adjacent to this parcel he did, before the subdivision was applied for and granted, own all of the adjacent land.

(f) The variance requested is substantial being a variance of approximately 41%.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties in that the variance if granted would permit the construction and utilization of a lot which does not meet the requirements of the Zoning Code of the Town of New Windsor in contrast to all neighboring properties which apparently do meet such requirements.

2. There is no other feasible method available to the Applicant which can produce the benefits sought. Before the subdivision was approved, of which this lot is a portion, the Applicant could have utilized another method to produce the benefits sought by reconfiguring the property. The Applicant sought not to reconfigure the property and waited for a period in excess of three years to apply instead for this variance.

3. The variance requested is substantial in relation to the Town regulations and is not warranted.

4. The requested variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district. See paragraph 1 above.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created and should not be allowed since the Applicant could have itself avoided the difficulties with which it is now presented.

6. The benefit to the Applicant, if the requested variance is granted, does not outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance as previously stated is not appropriate and although if granted it would be adequate to allow the Applicant relief from the requirements from the Zoning Local Law. A granting would not, at the same time, preserve and protect the character of the neighborhood and health, safety and welfare of the community. See paragraph 1 above.

8. The interests of justice will not be served by allowing the granting of the requested area variance. See paragraph 1 above.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor DENY a request for a 40.97 ft. lot width variance for Lot 13 in the Benedict Pond Subdivision located on the southwest side of Dean Hill Road in an R-3 zone.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 24, 2000.


Chairman

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 99-35

APPLICANT: OMAT INC

501 BRAMER TOWN RD.

TUXEDO PARK NY 10987

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 16 NOV 99

FOR (SUBDIVISION - ~~SITE PLAN~~) _____

LOCATED AT SW SIDE DEAN HILL RD

_____ ZONE R-3

DESCRIPTION OF EXISTING SITE: SEC: 85 BLOCK: 1 LOT: 13

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

LOT WIDTH VARIANCE REQ'D.

744-3805
#1 ZBA 1-24-2000
SETUP FOR P/H
#2 ZBA 2-28-00

DISAPPROVED
DATE: 5 JAN 00



MARK J. EDSALL PE for
MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE	<u>R-3</u>	USE	
MIN. LOT AREA	<u>32 670 SF</u>	<u>93 252</u>	
MIN. LOT WIDTH	<u>100 FT</u>	<u>59.03</u>	<u>40.97 FT</u>
REQ'D FRONT YD	<u>35 FT</u>	<u>170'</u>	
REQ'D SIDE YD.	<u>15 FT</u>	<u>41</u>	
REQ'D TOTAL SIDE YD.	<u>30 FT</u>	<u>190</u>	
REQ'D REAR YD.	<u>40 FT</u>	<u>51</u>	
REQ'D FRONTAGE	<u>60 FT</u>	<u>60</u>	
MAX. BLDG. HT.	<u>35 FT</u>	<u>< 35'</u>	
FLOOR AREA RATIO	<u>N/A</u>	<u>N/A</u>	
MIN. LIVABLE AREA	<u>1000 SF</u>	<u>> 1000 SF</u>	
DEV. COVERAGE	<u>15 %</u>	<u>< 1.5 %</u>	<u>%</u>
O/S PARKING SPACES	<u>N/A</u>	<u>N/A</u>	

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

MERCURIO - NORTON - TAROLLI

Land Surveying - Engineering, P.C.

45 Main Street

P. O. Box 166 Pine Bush, New York 12566

914-744-3620 FAX: 914-744-3805

E-Mail: 73772.2024@compuserve.com

Alphonse Mercurio, L.S.

William G. Norton, L.S. (NY & PA)

John Tarolli, P.E., L.S.

Kenneth W. Vriesema, L.S.

November 22, 1999

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

Re: Benedict Pond Estates, II
Lands of Omat, Inc.
Preliminary Plan, 2 Lots
Job No. 1314

Dear Planning Board

Enclosed please find:

- 1) Ten (10) prints of the preliminary plans.
- 2) Application
- 3) checklist
- 4) E.A.F.
- 5) checks for \$50 and \$300.
- 6) Proxy statement

This two-lot subdivision is a portion of the nine (9) lot subdivision submitted to your board in 1992. From 1992 through 1995 the issues were:

- 1) connection to the public sewer
- 2) Birch Drive and Ash Street access
- 3) Dean Hill Road improvements

These three issues were discussed and researched. The access to the public sewer required action on the Town's part in as much as a moratorium on new connections affected this project.

At the time the project was re-activated in 1997, Shannon Acres Subdivision was in the development process and we became aware that Dean Hill Road was going to be relocated as part of that project. This meant that our layout would have to be revised as a portion of old Dean Hill Road would be abandoned.

9800

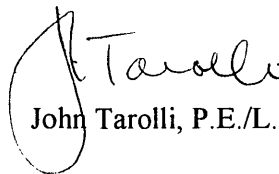
As we have waited for Shannon Acres to move through the process, the definition of lot width was changed in 1996, adversely affecting our lot 13R. Lot 13R is now non-conforming and thus we will need to obtain a variance for this lot.

As a first step, we need to make application to your board for the two-lot subdivision

Please place this matter on the December 8th agenda. Mr. Petrone will represent Omat, Inc.

Thank you.

Very truly yours,


John Tarolli, P.E./L.S.

JT/cg
Enc.

cc: M. Petrone

99-33

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Omat, Inc., deposes and says that he resides
(OWNER)
at 501 Bramertown Road, Tuxedo Park in the County of Orange
(OWNER'S ADDRESS)
and State of New York and that he is the owner of property tax map
(Sec. 85 Block 1 Lot 13)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)
P.O. Box 166, Pine Bush, NY 12566
Mercurio-Norton-Tarolli, P.C., John Tarolli, Alphonse Mercurio or William G. Norton
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4/17/99

OMAT, INC.
[Signature]
Owner's Signature H. Poth... V.P. Freeholder

Witness' Signature

Applicant's Signature if different than owner
[Signature]
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

RECEIVED DEC 2 1999

99-35

Appendix A

State Environmental Quality Review

FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared**.
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared**.

* A Conditioned Negative Declaration is only valid for Unlisted Actions

SUBDIVISION, BENEDICT POND ESTATES II

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

RECEIVED DEC 1 1999

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION <u>SUBDIVISION / BENEDICT POND ESTATES II</u>		
LOCATION OF ACTION (Include Street Address, Municipality and County) <u>DEAN HILL RD</u>		
NAME OF APPLICANT/SPONSOR <u>OMAT, INC</u>	BUSINESS TELEPHONE <u>(914) 782-5535</u>	
ADDRESS <u>501 Bramertown Rd</u>		
CITY/PO <u>Tuxedo Park</u>	STATE <u>NY</u>	ZIP CODE <u>10987</u>
NAME OF OWNER (If different)	BUSINESS TELEPHONE ()	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION <u>2 LOT SUBDIVISION</u> <u>(PREVIOUSLY 13 LOTS APPROVED), NOW, TOTAL OF 14)</u>		

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Other _____

2. Total acreage of project area: 13.9 acres.

APPROXIMATE ACREAGE

Meadow or Brushland (Non-agricultural)

	PRESENTLY	AFTER COMPLETION
	<u>8.9</u> acres	<u>8.4</u> acres

Forested

	<u>—</u> acres	<u>—</u> acres
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Agricultural (Includes orchards, cropland, pasture, etc.)

	<u>—</u> acres	<u>—</u> acres
--	----------------	----------------

Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)

	<u>—</u> acres	<u>—</u> acres
--	----------------	----------------

Water Surface Area

	<u>—</u> acres	<u>—</u> acres
--	----------------	----------------

Unvegetated (Rock, earth or fill)

	<u>—</u> acres	<u>—</u> acres
--	----------------	----------------

Roads, buildings and other paved surfaces

	<u>±1</u> acres	<u>±1</u> acres
--	-----------------	-----------------

Other (Indicate type) LAWNS

	<u>±4.0</u> acres	<u>±4.5</u> acres
--	-------------------	-------------------

3. What is predominant soil type(s) on project site? MARGIN GRAVELLY SILT CLAY

- a. Soil drainage: ☒ Well drained 70 % of site ☒ Moderately well drained 20 % of site
☐ Poorly drained 10 % of site

- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? — acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No

- a. What is depth to bedrock? > 3' (in feet)

5. Approximate percentage of project site with slopes: ☒ 0-10% 2 % ☐ 10-15% 40 %
☐ 15% or greater 30 %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 23 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
☐ Yes ☒ No According to _____
Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
☐ Yes ☒ No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
☐ Yes ☒ No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
☐ Yes ☒ No
15. Streams within or contiguous to project area: None
a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name BENEDICT POND b. Size (In acres) ± 13
17. Is the site served by existing public utilities? ☒ Yes ☐ No
a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No
b) If Yes, will improvements be necessary to allow connection? ☒ Yes ☐ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 2.9 acres.
- b. Project acreage to be developed: 2.9 acres initially; 2.9 acres ultimately.
- c. Project acreage to remain undeveloped — acres.
- d. Length of project, in miles: — (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed — %;
- f. Number of off-street parking spaces existing 0; proposed 4.
- g. Maximum vehicular trips generated per hour 4 (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | <u>2</u> | <u>—</u> | <u>—</u> | <u>—</u> |
| Ultimately | <u>2</u> | <u>—</u> | <u>—</u> | <u>—</u> |
- i. Dimensions (in feet) of largest proposed structure 30' height; 30' width; 55' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? ± 165 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site 0 tons/cubic yards
3. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A
 a. If yes, for what intended purpose is the site being reclaimed? LAWNS
 b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
 c. Will upper subsoil be stockpiled for reclamation? ☒ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 1/2 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?
☐ Yes ☒ No
6. If single phase project: Anticipated period of construction 12 months, (including demolition).
7. If multi-phased: _____
 a. Total number of phases anticipated _____ (number).
 b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
 c. Approximate completion date of final phase _____ month _____ year.
 d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No
8. Will blasting occur during construction? ☐ Yes ☒ No
9. Number of jobs generated: during construction 10; after project is complete 0.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain _____
12. Is surface liquid waste disposal involved? ☒ Yes ☐ No
 a. If yes, indicate type of waste (sewage, industrial, etc.) and amount DOMESTIC SEWAGE
 b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No
 Explain _____
15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☒ Yes ☐ No
 a. If yes, what is the amount per month 4 tons
 b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
 c. If yes, give name AL TURI LANDFILL; location NEW HAMPTON
 d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
 e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
 a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☒ Yes ☐ No
 If yes, indicate type(s) ELECTRIC, HEATING OIL
22. If water supply is from wells, indicate pumping capacity > 5 gallons/minute.
23. Total anticipated water usage per day ± 3000 gallons/day.
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No
 If Yes, explain _____

25. Approvals Required:

Type

Submittal
Date

City, <u>Town</u> Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	SUBDIVISION	11/99
City, <u>Town</u> Zoning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	LOT WIDTH VAR.	—
City, <u>County</u> Health Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	REALTY SUBD	—
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision?
- ☒
- Yes
- ☐
- No

If Yes, indicate decision required:

- ☐ zoning amendment ☒ zoning variance ☐ special use permit ☒ subdivision ☐ site plan
☐ new/revision of master plan ☐ resource management plan ☐ other _____

2. What is the zoning classification(s) of the site? R-3
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
14 lots
4. What is the proposed zoning of the site? —
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?
—
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No
7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
R-3
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒ Yes ☐ No
9. If the proposed action is the subdivision of land, how many lots are proposed? 2 THIS PLAN, 14 TOTAL
- a. What is the minimum lot size proposed? 34,261 SF.
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☒ Yes ☐ No
- a. If yes, is existing capacity sufficient to handle projected demand? ☒ Yes ☐ No
12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No
- a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name OMAT, INC Date 12/6/99
 Signature [Signature] Title Project Engr.

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

RECEIVED DEC 5 2 1999

MERCURIO, NORTON & TAROLLI
 LAND SURVEYING-ENGINEERING, P.C.

PINE BUSH, NEW YORK 12566
 Date 12/6/99

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- Answer each of the 20 questions in PART 2. Answer **Yes** if there will be any impact.
- Maybe** answers should be considered as **Yes** answers.
- If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
☐ NO ☐ YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☐ NO ☐ YES
- Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

- ☐
- NO
- ☐
- YES

Developable area of site contains a protected water body.

1. *Journal of Management Studies*, 1997, 34, 1, 1-14.

- ☐
- NO
- ☐
- YES

A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.

- _____

- ☐
- NO
- ☐
- YES

Proposed Action will require a discharge permit.

Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.

- ☐
- NO
- ☐
- YES

Proposed Action would change flood water flows.

[illegible]

[illegible]

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

- 14 Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? ☐ NO ☐ YES
List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts: _____

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?
☐ NO ☐ YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: _____

IMPACT ON ENERGY

- 16 Will proposed action affect the community's sources of fuel or energy supply? ☐NO ☐YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/> Yes <input type="checkbox"/> No
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/> Yes <input type="checkbox"/> No
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/> Yes <input type="checkbox"/> No

NOISE AND ODOR IMPACTS

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☐ NO ☐ YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: _____

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety? ☐ NO ☐ YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: _____

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will proposed action affect the character of the existing community?
☐ NO ☐ YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

[illegible]

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? ☐ NO ☐ YES

If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to Part 3

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)